

**REMARKS****Status Of Claims**

Upon entry of this amendment, claims 27-33, 36, 54-56, 72-79, 88-90, 92, 93, 95-101 and 105-114 are pending in this application. Applicants request that the Examiner cancel claims 58, 59, 65, 66, 68, 85, 86, 94 and 102-104 without prejudice or disclaimer. Claims 1-26, 34, 35, 37-53, 57, 60-64, 67, 69-71, 80-84, 87 and 91 were previously canceled. Claims 100 and 101 are amended herein. No new matter is added.

**Rejection For Obviousness-Type Double Patenting & Terminal Disclaimer**

Claims 27-33, 54-56, 58, 59, 65, 66, 68, 72-79, 85, 86, 88-90 and 92-114 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the corresponding claims of US 5,959,050.

Applicants will file a supplemental paper in this regard.

**Response To Rejections Under 35 U.S.C. § 112****Response To The Rejection Of Claims 58, 59, 65, 66 and 68**

Claims 58, 59, 65, 66 and 68 stand rejected under 35 U.S.C. 112, ¶¶ 1 and 2.

As set forth above, claims 58, 59, 65, 66 and 68 are canceled herein obviating these rejections.

However, Applicants assert claims 58, 59, 65, 66 and 68 are both definite and enabled and reserve the right to protect their claimed scope through future action. A person having ordinary skill in the art would understand the disclosure to enable a method of therapy comprising *in vivo* delivery of a drug molecule as claimed by Applicants. Applicants traverse the position set forth in the Office Action § 4, on page 2, and respectfully assert that the

mechanism for drug delivery and interaction with a target is also enabled as claimed by Applicants. Applicants also traverse the argument set forth in the Office Action § 5, on page 3, and respectfully assert Applicants' claims are definite in reciting "drug molecule", "artificial antibody" and "target", as well as "carries". Applicants respectfully assert, a person having ordinary skill in the art would find rejected claims 58, 59, 65, 66 and 68 to be both definite and enabled.

Response To Rejection Of Claims 101, 104, 106 and 109-114

Claims 101, 104, 106 and 109-114 stand rejected under 35 U.S.C. 112, ¶ 1.

Applicants respectfully traverse. Claim 104 is canceled obviating its rejection.

With regard to the recitation of "a cancer cell" in claim 101, the written description of specification discloses, *see e.g.*:

In another embodiment the artificial antibodies assemble around a cancer cell to indicate the presence of such a cell. In a further embodiment the artificial antibodies are bringing a drug to specific targets, for instance cancer cells. (Specification, on page 5, at lines 16-20).

With regard to the recitation of "organic molecule" in claims 106, 109 and 114, support is found throughout the written description. Some examples of support include, but are not limited to: *see e.g.* page 1, lines 1-9 (recites "organic molecule" twice and provides a number of examples); page 3, lines 18-27 (recites instances of "organic molecule" and "organic molecules"); page 3, lines 28-35; *et seq.* *See also* page 5, lines 1-5. "Organic molecule" and examples thereof are disclosed throughout the specification. "Organic molecule" is to be broadly construed.

Response To Allegations Of Duplicative Claims

Claims 85, 86 and 94-114 stand rejected as duplicative. Applicants note that claims 85, 86, 94 and 102-104 are canceled obviating this rejection. However, Applicants respectfully traverse that the claims were/are not duplicative.

CONCLUSION

In view of the above, Applicants respectfully request that all rejections under 35 U.S.C. § 112 be withdrawn. Applicants assert that the above-identified application is in condition for allowance and request such action at this time.

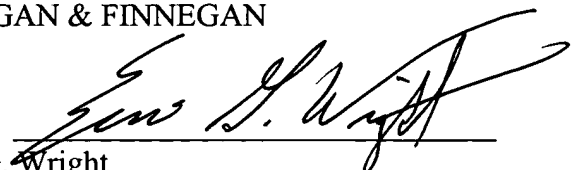
AUTHORIZATIONS

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2324-7028US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
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Dated: December 22, 2005

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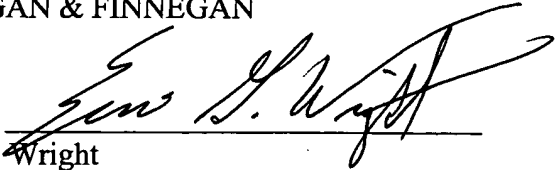
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